

1. Claims 1-3, 5, 6, 8, 10 and 12-18 are pending in the instant application.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on October 23, 2009 is in compliance with the provisions of 37 CFR 1.97 and 37 CFR 1.98. The IDS was considered. A signed copy of form 1449 is enclosed herewith.

REASONS FOR ALLOWANCE

3. The following is an examiner's statement of reasons for allowance. The claimed compounds are novel and non-obvious over the prior art. The closest reference, eg. WO 02/36590, teaches compounds such as the one shown below which neither anticipate nor make obvious the instant invention.

(Compound 19) 3-[3-(2-Chlorobenzyl)-[1,2,4]-oxadiazol-5-yl]-1-[2-(morpholin-4-yl)ethyl]-1*H*-indole, yellow residue. MS *m/z* 423 (*M*+1)⁺. Found (C 65.30, H 5.45, N (pg. 26)

Support for the claimed method is in the instant specification (pg. 56).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Conclusions

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4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to SUN JAE Y. LOEWE whose telephone number is (571)272-9074. The examiner can normally be reached on M-F 7:30-5:00 Est.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph McKane can be reached on (571)272-0699. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sun Jae Y. Loewe/
1-14-2010

/Golam M. M. Shameem/

Primary Examiner, Art Unit 1626